Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A method for determining that an image element is likely to be self-luminous, the method comprising:

   a. determining image element characteristics;

   ~~comparing the characteristics of said image element to those for known self-luminous elements wherein said comparing comprises at least one act taken from the set consisting of:~~

   > ~~(i) comparing the proximity of said image element to image boundaries with the proximity of known image elements to their boundaries,~~

   > ~~(ii) comparing the color characteristics of said image element to characteristics of a known illuminant, and~~

   > ~~(iii) comparing the luminance characteristics of said image element to characteristics of known self-luminous elements;~~

   b. analyzing said image element characteristics;

   c. assigning a self-luminosity weight factor to said image element when said image element characteristics indicate a likelihood of self-luminosity;

   d. determining the spatial proximity of said image element to an image spatial boundary;

   e. modifying said self-luminosity weight factor when said image element is spatially proximate to said image boundary; and

   f. estimating a color balance correction for at least a portion of said image wherein said correction is based on said weight factor.

2. (currently amended) A method for determining that an image element is likely to be self-luminous, the method comprising:

   a. determining image element characteristics;

   b. comparing the color characteristics of said image element to those found under a known illuminant;

   c. comparing the luminance characteristics of said image element to those found under a known illuminant;

   d. determining the spatial proximity of said image element to an image spatial boundary; and

   e. classifying said image element as likely to be self-luminous when ~~at least one~~ ~~of~~ said color characteristics, ~~and~~ said luminance characteristics and said spatial proximity meet a criteri~~a~~on for self-luminous elements.

3. (currently amended) A method as described in claim 2 ~~further comprising~~ ~~measuring the proximity of said image element to an image boundary and wherein~~ ~~said classifying further comprises evaluation of said proximity to determine~~ ~~whether said criteria are met~~ wherein said image spatial boundary is the top edge of said image.

4. (currently amended) A method for estimating the illuminant of an image, the method comprising:

   a. determining image element characteristics;

   b. assigning a weighting factor to each image element according to its likelihood of being self-luminous, said likelihood being based on said characteristics;

   c. modifying said weighting factor based on the spatial proximity of said each image element to an image spatial boundary;

   d. estimating ~~an~~ illuminant_s_ for a plurality of image elements;

   e. estimating an image illuminant based on said illuminants for each image element adjusted by said weighting factors.

5. (original) A method as described in claim 4 wherein the effect of said weighting factor is proportional to the likelihood that an image element is non-self-luminous.

6. (currently amended) A method of correcting color-balance in an image, the method comprising:
   a. obtaining image element characteristics for an image;
   b. assigning a weighting factor to each image element according to its likelihood of being self-luminous
   c. determining an element illuminant for each of said image elements;
   d. estimating an image illuminant based on ~~said image element characteristics and said weighting factors~~ said element illuminants adjusted by their corresponding weighting factors; and
   e. correcting image color-balance ~~for said estimated image illuminants~~ based on said image illuminant.

7. (currently amended) A method as described in claim 6 wherein said correcting comprises:
   a. correcting image elements that are not likely to be self-luminous ~~for the estimated illuminant~~; and
   b. omitting said correcting image color-balance for image elements that are likely to be self-luminous.

8. (original) A method as described in claim 6 wherein said correcting comprises:
   a. correcting said image elements according to their likelihood of being self-luminous wherein a full correction is applied to elements that are least likely to be self-luminous, no correction is applied to elements that are most likely to be self-luminous and a partial correction is applied to elements that fall between these limits.

9. (currently amended) A set of computer-executable instructions for determining that an digital image element pixel is likely to be self-luminous, the method comprising:

  a. determining image element pixel characteristics;

  b. comparing the characteristics of said image element pixel to those for known self-luminous elements pixels wherein said comparing comprises at least one act taken from the set consisting of:

   (i) comparing the spatial proximity of said image element pixel to image spatial boundaries with the proximity of known image elements to their boundaries,

   (ii) comparing the color characteristics of said image element pixel to those of a known illuminant, and

   (iii) comparing the luminance characteristics of said image element pixel to those of known self-luminous elements pixels, and

  c. classifying said image element pixel as likely to be self-luminous when at least one of said proximity, said color characteristics and said luminance characteristics meet a criteria for self-luminous elements pixels.

10. (currently amended) A computer system for determining that an image element is likely to be self-luminous, the system comprising:

    a. a storage for storing image element characteristics;

    b. a processor for comparing the characteristics of said image element to those for known self-luminous elements wherein said comparing comprises ~~at least one act taken from the set consisting of~~:

        i. comparing the spatial proximity of said image element to image spatial boundaries ~~with the proximity of known image elements to their boundaries~~,

        ii. comparing the color characteristics of said image element to those of known illuminants, and

        iii. comparing the luminance characteristics of said image element to those of known self-luminous elements, and

    c. a classifier for classifying said image element as likely to be self-luminous when ~~at least one of~~ said proximity, said color characteristics and said luminance characteristics meet a criteria for self-luminous elements.

11. (new) A method as described in claim 6 further comprising modifying said weighting factor when the spatial location of said image element is proximate to an image spatial boundary.